

**BOARD OF REGISTRATION IN PHARMACY
PHARMACY BOARD MEETING MINUTES
TUESDAY, FEBRUARY 11, 2003
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114**

The meeting was called to order by President Donna Horn at 9:30 a.m.

The following Board members were present: Donna Horn, R.Ph., Pres., Robert P. Paone, R.Ph., Pharm.D., Sec., Harold B. Sparr, R.Ph., MS, Karen M. Ryle, R.Ph., MS, and James T. DeVita, R.Ph., Dan Sullivan, R.Ph. and Marilyn Barron, MSW, Public Member.

The following Board staff were present: Charles R. Young, R.Ph., Exec. Dir., Susan Manning, J.D., James D. Coffey, R.Ph., Assoc. Dir., James C. Emery, C.Ph.T., Healthcare Investigator, and Leslie S. Doyle, R.Ph., Healthcare Supervisor and Alan Van Tassel, Healthcare Investigator.

AGENDA ITEMS

1. 9:30 a.m. Call to Order.
Donna Horn introduced Board extern Christina Rooney.
2. 9:35 a.m.
Review of Board Minutes. Motion/DeVita to approve as written. Second/Paone.
The motion carried.
3. 9:45 a.m.

Exec. Dir. Chuck Young introduced Jean Pontikas, Dir. to the Board. Ms. Pontikas identified bio-terrorism and patient-safety concerns as priorities for future strategic planning initiatives.
4. 9:50 a.m.-11:30 a.m.
Administrative Business Items-Board reviewed correspondence and took the following actions:

A) Request for classification of home infusion pharmacies- Infusion & Respiratory Services; Accredo Therapeutics; and New England Home Therapies.
Board counsel advised that licensing home infusion pharmacies would require legislation.
B) NABP-FPGEC Update (January 29, 2003 correspondence). Exec. Dir. Young provided an overview of the NABP correspondence. No MA applicants listed.
C) White Paper on Pharmacy Technicians 2002-"Needed Changes Can No Longer Wait"(Journal APHA Jan/Feb 2003). Filed.

D) Review PH-02-122-Request for review based upon action taken in another state. Exec. Dir. Chuck Young provided an overview of the complaint.

Motion/Sparr the Registrant cannot petition the MA Board of Pharmacy for license renewal until RI license is reinstated. Second/Ryle. The motion carried.

E) Discussion on Board's guidance for foreign pharmacy graduates or graduates of non-approved colleges of pharmacy. Present regulations only address interns attending "approved colleges of pharmacy".

Jim DeVita provided an overview of a draft policy.

Motion/DeVita to APPROVE graduates of non-approved colleges or schools of pharmacy as applicants for Pharmacy Internship registration provided the applicant has initiated the FPGE process with NABP and is in receipt of an Equivalency Examination "EE" number from NABP. Second/Sparr provided the applicant furnishes PCS with NABP "EE" documentation and Board counsel reviews the policy for proper format. The motion carried.

F) Proposed Ruling on Motion for Summary Decision -In the Matter of PH-00-021, Philip S. Fontana.

Recusal: Jim DeVita left the room.

Motion/Horn for executive session. Second/Paone. The motion carried. General discussion of proposed ruling.

Motion/Paone to return to Open Session. Second/Ryle. The motion carried.

Motion/Sparr to adopt proposed ruling. Second/Paone. The motion carried. Harold Sparr was designated to preside at sanction hearing.

G) Request for Removal of Probation- In the matter of PH-98-045, Gerald A. Petrosillo. Letter from MPRS Coordinator Tim McCarthy reviewed by Board.

Motion/Ryle to APPROVE the request for termination of probation. Second/Sparr. The motion carried.

H) Compounding Regulation Update-Karen Ryle stated that the compounding task force was reviewing IACP, USP and APHA information and considering section regarding recalls.

I) Request for waiver of technician requirements for high school diploma -- Saykham Thepanthao. The candidate has been employed at North Shore Pharmacy for more than a year and is responsible for "quality control scanning on completed prescriptions before they are delivered" to a consumer.

Motion/Sparr to approve the waiver provided pharmacy submits letter of recommendation. Second/Ryle. The motion carried.

J) CE decision of Chloe O. Huang, R.Ph. Completed 1.35 CEUs in 2001 and 0.4 CEUs in 2002. The Registrant submitted a letter describing mitigating circumstances. Motion/Paone to APPROVE the request provided Registrant completes 38 hours of CE in 60 days to include 6 hours of pharmacy law. Second/Sparr. The motion carried.

K) Update on Peruvian students. Exec. Dir. Young stated that 16 out of 17 candidates received their EE number from NABP. Kathy Keough, MCPHS Asst. Dir. of Gov. & Regulatory Affairs said that the Peruvian students travel to Boston has been postponed subject to visa application approval in April of 2003.

L) OxyContin® update-Board staff.

Board staff distributed updated OxyContin® armed robbery statistics.

Motion/Sullivan to send letters to law enforcement authorities. Second/Paone. The motion carried.

M) Discussion with Board counsel regarding pending legal matters.

Motion/Sparr for Exec. Session. Second/Paone. The motion carried.

In the matter of PH-00-125, Registrant, Bruce R. Kline, License No. 17604.

Motion/Sparr for to offer the Registrant the former consent agreement stipulations. Second/Ryle. The motion carried.

Board reviewed proposed draft consent agreements for DS-02-115, DS-03-010, and DS-03-015, Shoppers Drug, Springfield & PH-03-022, PH-03-006 and PH-00-026, Monty Schwartz.

In the matter of PH-01-125, David C. Beck.

Motion/Sparr to issue the Registrant an Advisory Letter with stipulation that MPJE be passed within 9 months. Second/Sullivan. The motion carried.

January 7, 2003 correspondence from Gary Gilmore care of the Division of Medicaid Assistance regarding Shopper's Drug: The Board decided to clarify the matter by mean of a letter of response to Mr. Gilmore (cc: Schwartz).

Motion/Sparr to return to Open Session. Second/Sullivan. The motion carried.

N) Request for Removal of Probation- In the matter of PH-94-111, William Trauner.

Motion/Sparr to APPROVE the request for termination of probation.

Second/Sullivan. The motion carried.

O) April 22, 2003 Board meeting: Motion/Sparr to cancel the meeting.

Second/Sullivan. The motion carried.

5. 11:30 a.m. to 12:00 a.m.-Discussion on the Drug Addiction Treatment Act of 2000 and the impact on community pharmacists-J.D. Coffey.
6. 12:00 p.m. to 12:30 p.m.-Request by Walgreen's to approve "Tech-Builder Program"-Dr. Arthur Chaput, CQI Coordinator for Board lead the discussion.

Walgreens representatives:

Susan DeLeo, Pharmacy Supervisor

James M. Schultz, Divisional VP for Performance Development

Dr. Chaput stated that the Board recently approved the technician training "Tech-Builder Program".

Mr. Schultz stated that the Walgreens TechBuilder assessment examination is broken into seven different skill blocks each section complete with both related test questions and complimentary skill drills. Schultz said that all of the TechBuilder training occurs at pharmacy store level. Schultz stated that the Walgreens TechBuilder examination is computer based and the passing score for pharmacy employees rate is 80%.

Motion/Paone to APPROVE the examination waiver to enable pharmacy technician trainees to register with the Board provided that 500 hours of work experience is completed by applicants and should the Walgreens TechBuilder assessment examination change then Walgreens shall notify the Board. Second/Horn.

The motion carried.


7. 12:30 p.m. to 1:40 p.m. Lunch
8. 1:40 p.m. to 2:00 p.m.
Pharmacy Technician Registration Update.
Assoc. Dir. Coffey provided the Board with Pharmacy Technician registration update.
9. 2:30 p.m. to 3:15 p.m.
Continuous Quality Improvement Discussion.

Update on Root Cause Analysis methodologies
Board Quality Assurance Surveyor: Arthur J. Chaput, R.Ph., Pharm. D.

Dr. Chaput provided an overview of Root Cause Analysis methodologies.
Pres. Donna Horn requested the Board to initiate a work group comprised of Dr. Paone, Jim DeVita and Board staff to develop a meaningful root cause analysis instructional program for pharmacies.

10. Discussion regarding internship hours related to graduates from colleges of pharmacy in Canadian Provinces including December 05, 2002 letter to Board.
Motion/Paone to require applicants for MA licensure who are both graduates of ACPE recognized Canadian Council for Accreditation of Pharmacy Programs (CCAPP) from 1993 through June, 2004 and licensed to practice pharmacy in Canada for at least one year to complete 300 hours of U.S. internship hours and pass the NAPLEX and MPJE examinations. Second/Sparr The motion carried. The Board affirmed that "Part 2" of Board Policy 2000-02 does not change.
11. 3:15 p.m. to 3:30 p.m.
Assoc. Dir. James D. Coffey provided the Board an update regarding the Division of Health Professions Licensure transition process.
12. 3:30 p.m. to 3:45 p.m.
Board review of 2001 & 2002 documentation related to CE Audit.
13. 3:30 p.m. Motion/Paone to adjourn the meeting. Second/Sparr. The motion carried.
Meeting Adjourned.

Respectfully submitted by:


Executive Director

5.28.03
Date

Chuck Vary
Printed Name

Reviewed by counsel: May 08, 2003
Draft approved: May 08, 2003
Board adopted: May 13, 2003

EXECUTIVE SESSION MINUTES

Time: 10:20 a.m. Agenda Item 4.

N) Motion/Sparr for Exec. Session. Second/Paone. The motion carried.

In the matter of PH-00-125, Registrant, Bruce R. Kline, License No. 17604. Board counsel provided an overview of the matter and reviewed January 31, 2003 letter from the Registrant. MPRS Coordinator recommended a 5-year MPRS treatment contract.

Board reviewed proposed draft consent agreements for DS-02-115, DS-03-010, and DS-03-015, Shoppers Drug, Springfield & PH-03-022, PH-03-006 and PH-00-026, Monty Schwartz.

In the matter of PH-01-125, David C. Beck. General discussion of settlement.

Motion/Sparr to return to Open Session. Second/Sullivan. The motion carried.